

**Notice of Allowability**

Application No.

09/803,257

Examiner

Gerald Gauthier

Applicant(s)

GAMBLE, OLIVER W.

Art Unit

2614

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/31/2006 Examiner Interview Summary.
2. ☒ The allowed claim(s) is/are 56-87,91,94,96,100,107 and 111-124.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
**GERALD GAUTHIER**  
**PATENT EXAMINER**

### DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Oliver W. Gamble on 8/2/06.

### Amendment

3. The application has been amended as follows:
  - a) Regarding **claim(s) 56**, line 9:  
replace "authorizes" with -- authorized --.
  - b) Regarding **claim(s) 56**, line 13:  
replace "a" with -- said -- and add -- . -- after "behavior".
  - c) Regarding **claim(s) 67**, line 13:  
replace "should" with -- is authorized to --.
  - d) Regarding **claim(s) 67**, line 15:  
replace "a" with -- said --.
  - e) Regarding **claim(s) 70**, line 10:  
replace "should" with -- is authorized to --.

- f) Regarding **claim(s) 71**, line 4:  
delete "to".
- g) Regarding **claim(s) 91**, line 11:  
delete "the".
- h) Regarding **claim(s) 94**, line 5:  
replace "received" with -- incoming -- and replace "should" with -- is  
authorized to --.
- i) Regarding **claim(s) 111**, line 9:  
replace "will" with -- are authorized to --.
- j) Regarding **claim(s) 116**, line 4:  
delete "discount".
- k) Regarding **claim(s) 116**, line 7:  
replace "should" with -- are authorized to --.
- l) Regarding **claim(s) 121**, line 10:  
replace "will" with -- is authorized to --.
- l) Regarding **claim(s) 122**, line 10:  
replace "will" with -- is authorized to --.
- m) Regarding **claim(s) 123**, line 7:  
delete "a" after "over".

***Allowable Claims***

4. **Claim(s) 56-87, 91, 94, 96, 100, 107, 108 and 111-125** are allowed.

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5. The following is an examiner's statement of reasons for allowance:

Regarding **claim(s) 56, 59, 67, 70, 78, 81, 91, 94, 96, 111-123 and 125**, in combination with other limitations of the claims, the prior art of record fails to disclose or specifically suggested a central computer able to determine if incoming instructions are authorized to be accepted and forwarded to a specific remote location and to forward the incoming instructions over a communication system to a chosen remote location where the incoming instructions will be relayed to a targeted device, the target device accepting instruction that will control the target device future behavior.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
GERALD GAUTHIER  
PATENT EXAMINER

Gerald Gauthier  
Examiner  
Art Unit 2614

GG  
August 2, 2006